

ORDINARY MEETING OF THE COUNCIL GEWONE VERGADERING VAN DIE RAAD INTLANGANISO YESIQHELO YEBHUNGA MINUTES / NOTULE / IMIZUZU

DATE / DATUM / UMHLA: 25 MARCH / MAART / MATSHI

2020

VENUE / PLEK / INDAWO: BANQUETING HALL /

BANKETSAAL

CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU

HERMANUS

TIME / TYD / IXESHA: 11:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

MINUTES OF THE COUNCIL MEETING HELD IN THE BANQUETING HALL, CIVIC CENTRE, HERMANUS, ON 25 MARCH 2020, AT 11:00

PRESENT: Councillors were present as per attached

attendance register.

OFFICIALS PRESENT: Mr C Groenewald, Municipal Manager

Ms D Arrison, Director: Management Services

Ms S Reyneke-Naudé, Director : Finance Mr R Williams, Director : Community Services Mr N Michaels, Director : Protection Services Mr S Müller, Director : Infrastructure & Planning

Ms F Lloyd, Acting Director: Economic

Development & Tourism

Mr C Le Roux, Deputy Director: Finance

Mr X Kosi, Manager: LED

Mr A Wyngaard, Senior Manager: Hermanus

Administration

Mr D Lakey, Senior Manager: Kleinmond

Administration

Mr B King, Senior Manager: Financial Services Mr R Kuchar, Senior Manager: Town Planning Ms R Louw, Senior Manager: Strategic Services Ms H van Tonder, Manager: Council Support

Services

Ms N Zweni, Manager: Communication

Ms A Le Roux, Manager: Property Administration

Ms Z Mazuthu, Chief Risk Officer

Mr L Tait, Accountant : Capital Budget Mr R Fraser, Chief : Traffic/Licences Ms K Jeptha, Accountant : Budget Office

Ms S Block, Administrator : Strategic Services

Ms S Swart, Administrative Officer : Council

Support Services

ICT

Ms R Steenekamp, Media & Social Media Liaison

Officer

Ms G Erasmus, Clerk: Auditorium

ALSO PRESENT: Members of the Public

OVERSTRAND MUNICIPALITY ATTENDANCE REGISTER

COUNCIL MEETING 25 MARCH 2020

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	g., ,
BOTHA, D	N. Olym
BRICE, KD	W. C.
COETSEE, A	10 00
COETZEE, DP	with the state of
COHEN, G	1
DE CONING, CA	10/
GILLION, E	ELM
KALOLO, SV	Jakk
KOMANI, AS	AD!
KRIGE, F	,
NQINATA, NNT	N. Wilcon
MACOTHA, VC	
MAY, C	CANON
MOLEFE, B	1 June
MORGAN, H	Apology
MSWELI, X	VALUE TO T
NTSABO, L	NX
NUTT, R	
ORBAN, J	1
PUNGUPUNGU, V	Marine Comment
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	Apology
TEBELE, S	
The second section of the second section of the second section of the second section s	

1. OPENING

The Speaker welcomed the Provincial Speaker, Mr M Mnqasela, to the meeting. The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 11:10

THE MEETING RESUMED AT 11:20

2. APPLICATIONS FOR LEAVE OF ABSENCE

CIIr C Tafu-Nwonkwo

RESOLVED

that the above-mentioned application for leave of absence, be granted.

CIIr H Morgan

RESOLVED

that the above-mentioned application for leave of absence, **be granted**.

Clir V Macotha

RESOLVED

that it **be noted** that Cllr Macotha was **absent without leave**, but that the Speaker will grant the leave once a doctor's certificate was received.

Ald M Sapepa

RESOLVED

that it **be noted** that Ald M Sapepa was **absent without leave**, and that the Speaker will continue with the disciplinary process against Ald M Sapepa.

It was further noted that the Speaker condoned Cllr Kalolo's absence without leave from the Council meeting of 26 February 2020, as he presented a doctor's certificate.

3. CONFIRMATION OF MINUTES

3.1 Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday**, **26 February 2020** at **15:00**

RESOLVED:

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday**, **26 February 2020** at **15:00**, **be confirmed**.

3.2 Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Monday, 9 March 2020** at **16:00**

RESOLVED:

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Monday**, **9 March 2020** at **16:00**, be confirmed.

3.3 Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Tuesday, 17 March 2020** at **12:00**

RESOLVED:

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Tuesday, 17 March 2020** at **12:00, be confirmed**.

4. STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE SPEAKER / EXECUTIVE MAYOR

The Speaker, Ald A Coetsee, afforded Cllr V Pungupungu time to inform the meeting that Cllr C Tafu-Nwonkwo gave birth to a healthy baby girl on 17 March 2020, and congratulated her on behalf of the African National Congress.

The Executive Mayor, Ald D Coetzee, informed the meeting of the circumstances surrounding the outbreak of the Covid-19 virus and the subsequent lockdown. He then notified Council on the necessary arrangements regarding the lockdown (refer to Annexure A to the minutes).

The Speaker, Ald A Coetsee, then afforded Cllr S Tebele time to put forward questions with reference to the necessary arrangements, and the Executive Mayor, Ald D Coetzee, responded to the questions. The Speaker also afforded Cllr X Msweli time to put forward questions on the above, on which the Executive Mayor responded.

The Speaker, Ald A Coetsee, extended the agenda by adding Item 5.21.

The Speaker, Ald A Coetsee, announced that the Provincial Speaker, Mr M Mnqasela, will address Council after the meeting regarding the Covid-19 crisis.

5. CONSIDERATION OF RECOMMENDATIONS MADE BY THE EXECUTIVE MAYOR TO COUNCIL, IN TERMS OF SECTION 160(2) OF THE CONSTITUTION, 1996, AND SECTION 59(1)(a) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 2000 (ACT 32 OF 2000)

5.1
AMENDMENTS TO THE 2019/2020 SUPPLY CHAIN MANAGEMENT POLICY

(ITEM 1, PAGE 1 : FINANCE PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the Supply Chain Management Policy be amended through the deletion of the sub-paragraph 36(1)(a)(v)(c) and the renumbering of sub-paragraphs (d) to (g), to sub-paragraphs (c) to (f).

RESPONSIBLE OFFICIAL: C LE ROUX

5.2 REVIEWED EXTERNAL BURSARY POLICY

(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the reviewed External Bursary Policy be adopted.

RESPONSIBLE OFFICIAL: L BUCCHIANERI

TRANSFER: OVERSTRAND MUNICIPALITY TO RIAAN JOORST: ERF 691, HAWSTON

(ITEM 1, PAGE 1 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that permission **be granted** to transfer erf 691, Hawston to Mr Riaan Joorst (ID Number 7602185158082);
- 2. that the aforementioned approval furthermore be subject to Mr Riaan Joorst accepting responsibility for the outstanding municipal services account in respect of erf 691 Hawston; and
- 3. that the aforementioned consent to transfer be subject to a usufruct being granted in favour Ms Dinah Wilkinson.

RESPONSIBLE OFFICIAL: FW FRANS

TRANSFER: OVERSTRAND MUNICIPALITY TO MR OLANE ZANE SCHEEPERS, MS DAVILIN POOLE AND MS MATTLIN POOLE: ERF 6959, MOUNT PLEASANT, HERMANUS

(ITEM 2, PAGE 9 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- that permission be granted to transfer erf 6959, Mount Pleasant, Hermanus to Mr Olane Zane Scheepers (ID Number 830609 5152 081), Ms Davilin Poole (ID Number 880514 0078 084) and Ms Mattlin Poole (ID Number 950511 0927 083); and
- 2. that the aforementioned approval furthermore be subject to Mr Olane Zane Scheepers, Ms Davilin and Ms Mattlin Poole accepting responsibility for the outstanding municipal services account in respect of erf 6959, Mount Pleasant.

RESPONSIBLE OFFICIAL: FW FRANS

5.5
IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF ERF 6804 HERMANUS ADJACENT TO ERF 6516 HERMANUS (2 HEIDE STREET, MOUNT PLEASANT) SITUATED IN MOUNT PLEASANT TO AG APLON

(ITEM 2, PAGE 206 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- that the direct alienation of a portion of Erf 6804 Hermanus (adjacent to Erf 6516 Hermanus) situated in Mount Pleasant, ±120m² in extent, to the owner of the adjoining Erf 6516 Hermanus, AG Aplon, at an amount of R172.00/m² (ONE HUNDRED AND SEVENTY TWO RAND) (PER SQUARE METRE) (VAT excluded) be approved in principle;
- 2. that it be noted that the direct alienation is possible as the said portion of Erf 6804 Hermanus can be classified as a non-viable property;
- 3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
- 4. that it be noted that a condition for the alienation will be that the said portion of Erf 6804 Hermanus must be consolidated with the adjoining property of AG Aplon, being Erf 6516 Hermanus;
- 5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of Erf 6804 Hermanus, which condition must be registered against the title deed of the consolidated property;
- 6. that the alienation of said portion of Erf 6804 Hermanus be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the public road, subdivision, rezoning and consolidation;
- 7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision and consolidation, closure of portion of public road, co, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser, AG Aplon; and
- that it be noted that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL: N LIEBENBERG

TARGET DATE FOR IMPLEMENTATION: 11 APRIL 2020

TARGET DATE TO INFORM APPLICANT: 30 APRIL 2020

TARGET DATE TO INFORM OBJECTOR: N/A

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF ERF 6804 HERMANUS ADJACENT TO ERF 6515 HERMANUS SITUATED AT 72 KATJIEPIERING STREET, MOUNT PLEASANT TO DJ & MG COERT

(ITEM 3, PAGE 215 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- that the direct alienation of a portion of Erf 6804 Hermanus (adjacent to Erf 6515 Hermanus) situated in Mount Pleasant, ±180m² in extent, to the owner of the adjoining Erf 6515 Hermanus, DJ & MG Coert, at an amount of R172.00/m² (ONE HUNDRED AND SEVENTY TWO RAND) (PER SQUARE METRE) (VAT excluded) be approved in principle;
- 2. that it be noted that the direct alienation is possible as the said portion of Erf 6804 Hermanus can be classified as a non-viable property;
- 3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
- that it be noted that a condition for the alienation will be that the said portion of Erf 6804 Hermanus must be consolidated with the adjoining property of DJ & MG Coert, being Erf 6515 Hermanus;
- 5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of Erf 6804 Hermanus, which condition must be registered against the title deed of the consolidated property;
- 6. that the alienation of said portion of Erf 6804 Hermanus be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the public road, subdivision, consolidation and rezoning and all related town planning approvals applicable;
- 7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision and consolidation, closure of portion of public road, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser, DJ & MG Coert: and
- 8. that it be noted that the Municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL: W MURTZ

TARGET DATE FOR IMPLEMENTATION: 11 APRIL 2020

TARGET DATE TO INFORM APPLICANT: 30 APRIL 2020

TARGET DATE TO INFORM OBJECTOR: N/A

IN PRINCIPLE AND TRANSFER APPROVAL FOR DIRECT ALIENATION OF A PORTION OF ERF 2430 GANSBAAI ADJACENT TO ERF 3425 GANSBAAI (ON THE CORNER OF KAMPEER AND VAN DYK STREET, GANSBAAI) TO THE WESTERN CAPE GOVERNMENT VIA ITS DEPARTMENT OF TRANSPORT AND PUBLIC WORKS (DEPARTMENT OF EDUCATION) FOR THE GANSBAAI ACADEMIA HIGH SCHOOL

(ITEM 7, PAGE 246 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- that the direct alienation of a portion of Erf 2430 Gansbaai (±0.9 ha in extent) adjacent to Erf 3425 Gansbaai to the Western Cape Government via its Department of Transport and Public Works (on behalf of the Department of Education) at a nominal purchase price of R1.00 (ONE RAND)(VAT included) for the extension of the Gansbaai Academia High School and related purposes, be approved in principle;
- 2. that the transfer of a portion of Erf 2430 Gansbaai (±0.9 ha in extent) adjacent to Erf 3425 Gansbaai to the Western Cape Government via its Department of Transport and Public Works (on behalf of the Department of Education) at a nominal purchase price of R1.00 (ONE RAND)(VAT included) for Gansbaai Academia High School and related purposes, **be approved**;
- 3. that it be noted that it is not necessary to follow a competitive process for the alienation and transfer as this transaction is exempted in terms of Regulation 20 of the Municipal Asset Transfer Regulations (R. 878 of 2008);
- 4. that it be noted that a condition for the alienation will be that the said portion of Erf 2430 Gansbaai must be consolidated with the adjoining property, being Erf 3425 Gansbaai:
- that the alienation of said portion of Erf 2430 Gansbaai be subject to a suspensive condition that the Department obtains at own cost all required town planning approvals;
- 6. that all the costs pertaining to the transaction, e.g. subdivision and consolidation, closure of portion of public open space, rezoning, transfer and related costs, etc. be paid by the Department;
- 7. that a condition be registered against the title deed of the consolidated property that the property may only be used for educational purposes; and

8. that it be noted that the portion of municipal property herewith alienated and transferred is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL: N LIEBENBERG

TARGET DATE FOR IMPLEMENTATION: 25 APRIL 2020

TARGET DATE TO INFORM APPLICANT: 9 APRIL 2020

TARGET DATE TO INFORM OBJECTOR: N/A

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 1153 HAWSTON (SITUATED ON THE CORNER OF CHURCH STREET AND WOODLANDS ROAD, HAWSTON) BY MEANS OF A COMPETITIVE PROCESS

(ITEM 8, PAGE 258 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the alienation of Erf 1153 Hawston (1,980m² in extent) for church purposes by means of a competitive process at a market related purchase price be approved in principle;
- 2. that the costs pertaining to the transaction, e.g. transfer costs, water-, sewer and electricity connections, the section 14 advertisement, etc., but excluding the valuation costs, be paid by the successful bidder/purchaser; and
- that it is confirmed that Council has taken cognisance of the fact that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL: M ERASMUS

TARGET DATE FOR IMPLEMENTATION: 24 APRIL 2020

TARGET DATE TO INFORM APPLICANT: N/A

TARGET DATE TO INFORM OBJECTOR: N/A

5.9
ERF 1153 HAWSTON (SITUATED ON THE CORNER OF CHURCH STREET AND WOODLANDS ROAD): WRITE BACK AND WRITE OFF OF AMOUNTS RAISED AND WAIVER OF RENTAL – "CALVYNSE PROTESTANTE KERK VAN SUID AFRIKA HAWSTON"

(ITEM 9, PAGE 266 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that Council approves the:

- writing back of the original balance on the municipal account number 205011530003 in the amount of R8,086.69 (EIGHT THOUSAND AND EIGHTY SIX RAND AND SIXTY NINE CENTS) representing the opening balance of the municipal account of the "Calvynse Protestante Kerk van Suid Afrika Hawston" (hereinafter called "the Church) when the account was transferred to this Municipality from the previous Overberg Regional Council, being 1 September 1998;
- 2. writing back of the total amount of R73,206.16 (SEVENTY THREE THOUSAND TWO HUNDRED AND SIX RAND AND SIXTEEN CENTS) representing the monthly loan amounts levied on municipal account number 205011530003 of the Church for the period 1 September 1998 until 25 February 2020;
- 3. writing back of the total amount of R1,257.50 (ONE THOUSAND TWO HUNDRED AND FIFTY SEVEN RAND AND FIFTY CENTS) representing historic insurance charge levied on municipal account number 205011530003 of the Church:
- 4. writing back of the total amount of R289.26 (TWO HUNDRED AND EIGHTY NINE RAND AND TWENTY SIX CENTS) representing a services deposit levied on municipal account number 205011530003 of the Church;
- 5. writing back of the total amount of R11,189.47 (ELEVEN THOUSAND ONE HUNDRED AND EIGHTY NINE RAND AND FORTY SEVEN CENTS) representing administrative and collection costs levied on the municipal and handed over accounts of the Church for the period 1 September 1998 until 25 February 2020;
- 6. writing back of the total amount of R28,388.11 (TWENTY EIGHT THOUSAND THREE HUNDRED AND EIGHTY EIGHT RAND AND ELEVEN CENTS) representing interest levied on the municipal and handed over accounts of the Church;

- 7. writing back of all municipal services charges, interest, penalties and loan amounts levied on the municipal and handed over accounts of the Church as from billing on 25 February 2020 until the accounts are formally closed;
- 8. writing off the amount of R27,971.05 (TWENTY SEVEN THOUSAND NINE HUNDRED AND SEVENTY ONE RAND AND FIVE CENTS), representing the balance municipal services charges on the municipal account after the above is written back and the payments made by the Church is taken into account; and
- 9. waiving of any rental that could have been regarded as relevant to the use of the property on the reasons discussed in this report.

RESPONSIBLE OFFICIAL: A LE ROUX

E HOONEBERG

TARGET DATE FOR IMPLEMENTATION: 29 APRIL 2020

TARGET DATE TO INFORM APPLICANT: 15 APRIL 2020

TARGET DATE TO INFORM OBJECTOR: N/A

MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR FEBRUARY 2020

(ITEM 5, PAGE 1: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the deviations from the procurement processes, approved in terms of the delegated authority for February 2020, **be noted**; and
- 2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for February 2020, **be noted**.

RESPONSIBLE OFFICIAL: C LE ROUX

TARGET DATE FOR IMPLEMENTATION: TO BE NOTED

ENTERING INTO A GRANT AGREEMENT WITH DEVELOPMENT BANK OF SOUTH AFRICA, WESTERN CAPE PROVINCIAL GOVERNMENT AND OVERSTRAND MUNICIPALITY

(ITEM 6, PAGE 8: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the Municipal Manager be hereby authorised to:
 - (a) negotiate the terms of the Grant Agreement for purposes of drafting a Capital Expenditure Framework;
 - (b) after acceptance of the terms of the agreement, sign the agreement;
 - (c) enter into any other agreements, deeds or documents which may be incidental or related to the Grant Agreement or the transactions contemplated by or the agreements referred to in the Grant Agreement and any addenda to the Grant Agreement required to amplify and/or amend any of the provisions of the Grant Agreement (collectively referred to as the "Relevant Documents"); and
 - (d) act as the Municipality's representative to give effect to the above resolutions.

RESPONSIBLE OFFICIAL: R KUCHAR

TARGET DATE FOR IMPLEMENTATION: 8 APRIL 2020

TARGET DATE TO INFORM APPLICANT: N/A

TARGET DATE TO INFORM OBJECTOR: N/A

CONSIDERATION OF THE 2018/19 ANNUAL REPORT AND ADOPTION OF AN OVERSIGHT REPORT

(ITEM 7, PAGE 23: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that, in terms of Section 129 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA) and having duly considered the 2018/19 Annual Report of the Overstrand Municipality and the content of this item, the said report **be approved** without reservation.

RESPONSIBLE OFFICIAL: R LOUW

TARGET DATE FOR IMPLEMENTATION: NOT APPLICABLE

DRAFT INTEGRATED DEVELOPMENT PLAN (IDP) REVIEW AND PROPOSED AMENDMENT FOR 2020/21

(ITEM 8, PAGE 59: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the draft IDP review and proposed amendment for 2020/21 be noted; and
- 2. that the draft IDP review and proposed amendment **be advertised** for public comment in order for Council to consider the final document during the May 2020 Council meeting.

RESPONSIBLE OFFICIAL: R LOUW

TARGET DATE FOR IMPLEMENTATION: TO BE NOTED

5.14

INTEGRATED WASTE MANAGEMENT PLAN 2020/2021

(ITEM 9, PAGE 62: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the Draft Integrated Waste Management Plan (IWMP) for 2020/21 be **noted**; and
- 2. that it furthermore **be noted** that the Final Draft IWMP for 2020/21, with inputs from the public and other stakeholders taken into account, is to be considered for approval at the Council meeting in May 2020.

RESPONSIBLE OFFICIAL: C MITCHELL

TARGET DATE FOR IMPLEMENTATION: 1 JULY 2020

5.15

OVERSTRAND: REVIEW OF OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK AND SECTORAL PLANS: OVERSTRAND MUNICIPALITY

(ITEM 10, PAGE 64: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the Draft Spatial Development Framework and process for finalisation **be noted**; and
- 2. that the Final Spatial Development Framework be tabled to Council with the Final IDP and Budget during its May 2020 cycle.

RESPONSIBLE OFFICIAL: R KUCHAR

TARGET DATE FOR IMPLEMENTATION: 15 APRIL 2020

TARGET DATE TO INFORM APPLICANT: N/A

TARGET DATE TO INFORM OBJECTOR: N/A

DRAFT BUDGET FOR 2020/2021, INDICATIVE BUDGET FORECASTS FOR 2021/2022 TO 2022/2023 AND DRAFT BUDGET RELATED POLICIES

(ITEM 11, PAGE 72: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the tabling of the Draft Budget for 2020/2021, indicative budget forecasts for 2021/2022 to 2022/2023 and the draft budget related policies **be noted**; and
- 2. that the tabling of the Draft Budget for 2020/2021 **be advertised** for public comment in order for Council to consider the final budget during the May 2020 Council meeting.

RESPONSIBLE OFFICIALS: S REYNEKE-NAUDE

BA KING

TARGET DATE FOR IMPLEMENTATION: TO BE NOTED

5.17

DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2020/21

(ITEM 12, PAGE 74: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the draft Service Delivery and Budget Implementation plan (SDBIP) for 2020/21 **be noted**.

RESPONSIBLE OFFICIAL: R LOUW

TARGET DATE FOR IMPLEMENTATION: NOT APPLICABLE

5.18

SIGNED REVISED PERFORMANCE PLANS OF THE SECTION 54A AND 56 APPOINTEES FOR 2019/20

(ITEM 13, PAGE 76: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the signed revised performance plans of the Section 54A and 56 appointees for 2019/20 **be noted**.

RESPONSIBLE OFFICIAL: R LOUW

APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA (SRA): HERMANUS SPECIAL RATING AREA (HSRA)

(ITEM 14, PAGE 146: MAYORAL COMMITTEE MEETING: 25 MARCH 2020)

CLLR V PUNGUPUNGU, SECONDED BY CLLR X MSWELI, REQUESTED THAT AN ADDITIONAL RECOMMENDATION BE ADDED TO THE RESOLUTION TO THE EFFECT THAT SRA'S WILL ONLY BE ESTABLISHED FOR INFRASTRUCTURAL PURPOSES.

CLLR J ORBAN, IN TERMS OF RULE 24, CALLED FOR A POINT OF ORDER WITH REGARD TO THE MANNER IN WHICH CLLR S TEBELE IS ADDRESSING THE COUNCILLORS. THE SPEAKER, ALD A COETSEE, OVERRULED THE POINT OF ORDER, BECAUSE CLLR ORBAN BROUGHT IT UNDER THE WRONG RULE. HE THEN REQUESTED CLLR S TEBELE TO REFREIN FROM MAKING SIDE REMARKS, AS THE MEETING GETS DISTRACTED.

WHEN PUT TO VOTE, 6 MEMBERS VOTED IN FAVOUR OF THE RECOMMENDATION BY CLLR V PUNGUPUNGU AND 15 MEMBERS VOTED IN FAVOUR OF THE RECOMMENDATION BY THE EXECUTIVE MAYOR. THE RECOMMENDATION BY THE EXECUTIVE MAYOR WAS THUS CARRIED.

RESOLVED (SUPPORTED BY 15 COUNCILLORS):

- 1. that the area as reflected in the body of this report **be identified** as a special rating area (SRA), known as the Hermanus Special Rating Area (HSRA), in terms of the Overstrand Special Rating Area By-law, 2016;
- 2. that the application submitted by Mr Michael Farr, the registered owner of 84 Westcliff Road, Westcliff Hermanus (Erf 103 Westcliff), to establish the HSRA in terms of section 8.1(c) of the By-law, **be approved**;
- 3. that an additional rate **be levied** on properties in the HSRA from 1 July 2020 in terms of section 22(1)(b) of the Local Government Municipal Property Rates Act (MPRA), Act 6 of 2004;
- 4. that a Finance Agreement be concluded between the Overstrand Municipality and the HSRA Management Committee in terms of section 12(6) of the By-law prior to 1 July 2020;
- that the Municipal Manager be authorised to sign all the necessary agreements and documents to give effect to the establishment of the Hermanus Special Rating Area (HSRA);

- 6. that the Hermanus Special Rating Area (HSRA) additional rate be calculated on the municipal valuation for properties within the HSRA mapped area, in accordance with the Overstrand Property Rates Policy, to enable the Municipality to collect the additional rates required for the HSRA's first year budget of R8 300 000.00, as well as for subsequent years in accordance with the 5-year budget period:
- 7. that payments to the HSRA be commenced with in accordance with the Finance Agreement once the following sections in chapter 2 of the SRA By-law as amended are met:
 - Section 10: Commencement with the Business Plan,
 - Section 11: Establishment Composition, Powers and Duties of the Management Body; and
 - Section 12: Finances (including the conclusion of a Finance Agreement); and
- 8. that the additional rate for the HSRA be considered by Council with the Municipality's 2020-2021 Budget and be implemented from 1 July 2020.

RESPONSIBLE OFFICIAL: S REYNEKE-NAUDE

E HOONEBERG

B KING

TARGET DATE FOR IMPLEMENTATION: 1 JULY 2020

APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA (SRA): ONRUS-VERMONT SPECIAL RATING AREA (OVSRA)

(ITEM 15, PAGE 399 : MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

CLLR S TEBELE REQUESTED THAT AN ADDITIONAL RECOMMENDATION BY ADDED TO THE RESOLUTION TO THE EFFECT THAT THE SRA ONLY BE ESTABLISHED FOR INFRASTRUCTURAL PURPOSES.

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 12:40

THE MEETING RESUMED AT 12:50

CLLR S TEBELE WITHDREW THE REQUEST TO ADD AN ADDITIONAL RECOMMENDATION TO THE RESOLUTION.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the area as reflected in the body of this report **be identified** as a special rating area (SRA), known as the Onrus-Vermont Special Rating Area (OVSRA), in terms of the Overstrand Special Rating Area By-law, 2016;
- 2. that the application submitted by Mr Abner Francois-Andre Inghels, the registered owner of 6 Radyn Street, Onrus River (Erf 3551 Onrus), to establish the OVSRA in terms of section 8.1(c) of the By-law, **be approved**;
- 3. that an additional rate **be levied** on properties in the OVSRA from 1 July 2020 in terms of section 22(1)(b) of the Local Government Municipal Property Rates Act (MPRA), Act 6 of 2004;
- that a Finance Agreement be concluded between the Overstrand Municipality and the OVSRA Management Committee in terms of section 12(6) of the By-law prior to 1 July 2020;
- 5. that the Municipal Manager be authorised to sign all the necessary agreements and documents to give effect to the establishment of the Onrus-Vermont Special Rating Area (OVSRA);
- 6. that the Onrus-Vermont Special Rating Area (OVSRA) additional rate be calculated on the municipal valuation for properties within the OVSRA mapped area, in accordance with the Overstrand Property Rates Policy, to enable the Municipality to collect the additional rates required for the OVSRA's first year budget of R1 977 885.00, as well as for subsequent years in accordance with the 5-year budget period;

- 7. that payments to the OVSRA be commenced with in accordance with the Finance Agreement once the following sections in chapter 2 of the SRA By-law as amended are met:
 - Section 10: Commencement with the Business Plan,
 - Section 11: Establishment Composition, Powers and Duties of the Management Body; and
 - Section 12: Finances (including the conclusion of a Finance Agreement); and
- 8. that the additional rate for the OVSRA be considered by Council with the Municipality's 2020-2021 Budget and be implemented from 1 July 2020.

RESPONSIBLE OFFICIAL: S REYNEKE-NAUDE

E HOONEBERG

B KING

TARGET DATE FOR IMPLEMENTATION: 1 JULY 2020

PORTIONS OF ERVEN 249 AND 832 HERMANUS: DEVIATION FROM PARAGRAPHS 18 AND 20.1(b) OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO APPROVE A TEMPORARY RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO MR MA DE KLERK

DEVIATION FROM PARAGRAPHS 7.4.1 AND 11.3.2(a)(i)(ii) OF THE CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION POLICY, 2019

(ITEM 6, PAGE 237 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 MARCH 2020)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to temporary renew the current lease agreement with MA de Klerk for a further 6 (SIX) months from 1 April 2020 until 30 September 2020 without following a competitive process, **be approved**;
- 2. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy in order to temporary renew the current lease agreement with MA de Klerk for a further 6 (SIX) months without following a public participation process, **be approved**; and
- 3. that the deviation from paragraph 11.3.2(a)(i) and (ii) of the Customer Care, Credit Control and Debt Collection Policy of 2019 in order to allow Mr MA de Klerk to pay off the arrear municipal account for the lease of a portion of Erf 249 and 832 Hermanus in a period equal to the remainder of the temporary renewal of the lease agreement with the Municipality, **be approved**.

RESPONSIBLE OFFICIAL: A LE ROUX

E HOONEBERG

TARGET DATE FOR IMPLEMENTATION: 26 APRIL 2020

TARGET DATE TO INFORM APPLICANT: N/A

TARGET DATE TO INFORM OBJECTOR: N/A

6. CONSIDERATION OF REPORTS

6.1

APPOINTMENT OF A SELECTION PANEL FOR THE RECRUITMENT AND SELECTION PROCESS, FOR THE APPOINTMENT OF A NEW MUNICIPAL MANAGER WITH EFFECT 1 NOVEMBER 2020

4/3/R

D Arrison Director : Management Services

6 February 2020 (028) 313 8001

EXECUTIVE SUMMARY

The purpose of this report is for Council to appoint a selection panel for the recruitment and selection process and for recommendations in the appointment of a Municipal Manager with effect 1 November 2020.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

- 1. that a selection panel for the recruitment and selection process and for recommendations to Council in the appointment of a new Municipal Manager with effect 1 November 2020, be instituted as follows:
 - Ald Dudley Coetzee, Executive Mayor Chairperson
 - Cllr Elnora Gillion, Deputy Executive Mayor
 - Mr Graham Paulse, HOD Provincial Department of Local Government; and
 - Visiting Municipal Manager from a Municipality in the Western Cape (subject to resolution hereunder);
- 2. that it be noted that the African National Congress appointed Cllr V Pungupungu to be invited to observe the process; and
- 3. that the Executive Mayor be authorised to engage any Municipal Manager in the Western Cape to serve on the selection panel for the recruitment and selection process of a new Municipal Manager with effect 1 November 2020.

RESPONSIBLE OFFICIAL: DS ARRISON

TARGET DATE FOR IMPLEMENTATION: 25 MARCH 2020

THE MUNICIPAL MANAGER, MR C GROENEWALD, LEFT THE MEETING AT 12:58 AND WAS NOT PRESENT DURING THE DISCUSSION AND CONSIDERATION OF THE FOLLOWING ITEM:

6.2

COMPLAINT/ACCUSATION OF ALLEDGED MISCONDUCT: MR CC GROENEWALD, MUNICIPAL MANAGER

4/3/R

D Arrison Director : Management Services

19 March 2020 (028) 313 8001

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider a complaint/accusation of alleged misconduct brought by Mr Anton Kruger, on behalf of a group referred to as LiberTAS, against the Municipal Manager, Mr CC Groenewald.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that, as no evidence to support the allegation(s) of misconduct against the Municipal Manager was found, the allegation(s) of misconduct be dismissed.

RESPONSIBLE OFFICIAL: DS ARRISON

TARGET DATE FOR IMPLEMENTATION: IMMEDIATELY

THE MUNICIPAL MANAGER, MR C GROENEWALD, REJOINED THE MEETING AT 13:05

7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER (IF ANY)

None

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

None

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)

The Executive Mayor, Ald D Coetzee, seconded by Cllr J Orban, submitted a motion of exigency in terms of Rule 28 of the Rules of Order for Internal Arrangements, that he be allowed to inform Council on special arrangements to be instituted regarding businesses and residents who will not be able to pay their municipal accounts during the lockdown period which was announced by the President to combat the spread of the Covid-19 virus.

The Speaker recognised the urgency of the motion.

The Executive Mayor then informed Council of the special arrangements to be instituted to assist businesses and residents who will not be able to pay their municipal accounts during the lockdown period.

CLLR L NTSABO LEFT THE MEETING AT 13:10 WITH PERMISSION FROM THE SPEAKER

CLLR C RESANDT LEFT THE MEETING AT 13:16 WITH PERMISSION FROM THE SPEAKER

RESOLVED (SUPPORTED BY 19 COUNCILLORS):

 that businesses who find themselves under financial stress and cannot pay their accounts due for March 2020 and April 2020, may enter into an extended term of payment agreement in terms of the Overstrand Customer Care, Credit Control and Debt Collection Policy in order for their payments of the said amounts to be done in equal payments over a six-month period without the payment of a deposit;

- 2. that residential customers who find themselves under financial stress as a result of the lockdown and cannot pay their accounts for March 2020 and April 2020 may enter into an extended term of payment agreement in terms of the Overstrand Customer Care, Credit Control and Debt Collection Policy in order for their payments of the said amounts to be done over a period of 12 (twelve) months without the payment of a deposit;
- that all tenants of the Overstrand Municipality who cannot make use of their leased premises such as but not limited to business premises, stalls, etc for the purpose of its lease, be exempted for the payment of their rental for the months of April and May 2020;
- 4. that, as a result of the lockdown announced by the President of the Republic of South Africa in terms of the Disaster Management Act, Council will be in recess immediately after this meeting today, 25 March 2020 until Sunday, 3 May 2020;
- 5. that, during the recess period, all urgent matters and emergency situations will be dealt with by the Executive Mayor in consultation with the Municipal Manager, except for those items specifically reserved in law for the full Council; and
- 6. that it be noted that the municipal offices in the Overstrand area, excluding essential services, will be closed from 16:30 on 26 March 2020 and will only reopen on 17 April 2020 at 07:45.

The meeting adjourned at 13:26	
DATE	THE SPEAKER – A COETSEE

a magating adjacenad at 42.00

South Africa will enforce a three-week lockdown due to the COVID-19 coronavirus, President Cyril Ramaphosa announced on Monday, 23 March 2020. The 21-day lockdown will start midnight Thursday 26 March till midnight 16 April 2020.

The announcement comes a week after the President declared the COVID-19 outbreak a national state of disaster.

Overstrand Executive Mayor, Dudley Coetzee, made it absolutely clear that during the lockdown, all Overstrand residents will have to stay at home until midnight on Thursday 16 April 2020.

"The purpose of the lockdown is for people to stay at home. Individuals will not be allowed to leave their homes except under strictly controlled circumstances, such as to seek medical care, buy food, medicine and other supplies or to collect social grants," he said.

Exempt from this lockdown are the health workers in the public and private sectors, emergency personnel, those in security services (such as the police, traffic officers, military medical personnel, soldiers) and other persons necessary to respond to COVID-19.

It will also include those persons involved in the production, distribution and supply of food and basic goods, essential banking services, the maintenance of power, water and telecommunications services, laboratory services, and those involved in the provision of medical and hygiene products.

With exception for pharmacies, laboratories, banks, essential financial and payment services - including the Johannesburg Stock Exchange, supermarkets, petrol stations and health care providers, all shops and businesses will be closed. Provision will be made for essential transport services to continue, including transport of essential staff and for patients to hospitals or clinics.

Overstrand Municipality remains committed to service delivery and all essential services will remain open during the lockdown. The following measures will be implemented:

REFUSE REMOVAL:

Refuse removal will continue as per normal collection schedule for the Greater Hermanus and Greater Gansbaai administrations.

In the Hangklip-Kleinmond area, refuse will be collected as follows:

- Mondays: Rooi Els, Kleinmond Sea Avenues, Kleinmond Mountain Avenues, Klein Berlyn and Heuningkloof
- Tuesdays: Proteadorp, Overhills, Mountain View, Extension 6, Palmiet, Sunny Seas
- Wednesdays: Betty's Bay and Mooiuitsig
- Thursdays: Pringle Bay

Each household is allowed to place one wheelie bin or four black bags (with the proviso that only one bag may contain garden waste) with domestic refuse on the sidewalk for removal in areas which the Municipality has not identified as a problem animal area. Containers must be secured with baboon proof locking devices in all areas that the Municipality has identified as problem animal areas. No refuse bags may be left on pavements in baboon problem areas.

TRANSFER STATIONS:

All transfers stations and drop-off facilities will be closed during lockdown

SEWERAGE TANKER SERVICE:

Several areas in Overstrand are not connected to a sewer network, resulting in many residents being dependent upon our tanker service to remove sewage from their premises. Honey sucker service will continue as per normal. Phone 028 313 8000/8111 to request a tanker service. Do note that any tanker services requested after 15:00 will be subject to an after-hour levy.

WATER AND ELECTRICITY:

 Both are fully operational. Report any issues regarding water or electricity to our 24-hour control room

OVERSTRAND'S 24-HOUR CONTROL ROOM

- Will remain open 028 313 8000/8111
- Problems may be addressed telephonically

TRAFFIC SERVICES:

- Testing of vehicles for roadworthy will be closed
- Driving licence testing services will be closed
- Learner's Licence Testing Services will be closed
- Eye Testing Services will be closed
- Motor vehicle registration will be closed

PUBLIC TRADING SPACES:

• All formal and informal markets are to be closed, including vendors at taxi-ranks

CAR MONITORS:

Both informal and formal car monitors and washers are prohibited during the lockdown

MEETINGS:

All public meetings and site visits will be postponed until after the lockdown period

OVERSTRAND TOURISM OFFICES:

• Will be closed. Tourism managers will be available on their cellphones and via email. Go to www.whalecoast.info for contact details.

CEMETERIES:

Cemeteries will remain open, although residents are advised to be mindful of the number of persons at the graveside during burial.

Payment for grave space must be made directly to the municipal primary bank account:

Overstrand Municipality

Nedbank Account Number 1190136678

Type of account: Current Account

Branch Code: 198765

Applicable tariffs can be confirmed at Overstrand Municipality's control room (028 313 8111).

Kindly note, in order to obtain authorisation, the proof of payment must be e-mailed to enquiries@overstrand.gov.za

LIBRARIES:

Closed

BEACHES, PICNIC SITES AND NATURE RESERVES:

Closed

COMMUNITY HALLS AND SPORT FACILITIES:

Closed

PUBLIC EVENTS TO BE HOSTED IN TERMS OF THE EVENTS BY-LAW:

- All approved events in terms of the by-law are cancelled until further notice and permits were revoked
- No new applications shall be considered until further notice
- Overstrand Municipality will offer refund for payments made affected by lockdown

HAWSTON SWIMMING POOL COMPLEX CLOSED:

• The Hawston Swimming Pool Complex is closed until further notice

DAY CAMPS CLOSED:

• Day camps and picnic spots will be closed to the public until further notice

OVERSTRAND CARAVAN PARKS CLOSED:

 In light of COVID-19 Coronavirus, and considering the safety of residents and visitors to the Overstrand, caravan parks will be closed until further notice. Overstrand Municipality will offer refund for payments made affected by lockdown

RATES HALLS AND CASH OFFICES

- Municipal rates halls and cash offices will be closed
- The Municipality encourages account holders to use online banking to pay accounts

MUNICIPAL OFFICES

- Closed
- In case of an infrastructure related emergency, contact Overstrand's 24-hour Control Room at 028 313 8000/8111.
- Fire & Rescue can be called directly at 028 312 2400 and the number for law enforcement complaints are 028 313 8996.

PRE-PAID ELECTRICITY:

- Pre-paid electricity can be bought online (home.ontec.co.za) or on your cell phone (download the app from the play store). Should you need assistance, phone Ontec at 0861 220 244 or e-mail servicedesk@ontec.co.za
- Prepaid electricity tokens are available at retailers Pick 'n Pay, Checkers and Spar as well as garages (Engen) and various other outlets that will be open during lockdown

MUNICIPAL ACCOUNTS:

Municipal accounts and utility bills can be paid at:

- EasyPay
- SA Post Office
- Pick n Pay
- Shoprite/Checkers
- Spar
- Pay@ points nationwide
- Electronic transfers

Always use your account number as reference when making payment.

EFT PAYMENTS for municipal accounts:

Overstrand Municipality

Nedbank Account Number 1190136899

Branch Code: 198765

- This account is solely for the payment of monthly municipal accounts and the payment must include the 12-numerical digit account number as the reference.

EFT PAYMENTS for traffic fines:

Overstrand Municipality
Nedbank Account Number 1190137186
Type of account: Current Account

Branch Code: 198765

- This account is solely for the payment of Overstrand Municipality traffic fines and the payment must include the 10 to 16 alpha-numerical digit reference number indicated on the fine. Please note that the "/" must not be included in the reference number.

EFT PAYMENTS for other services:

Overstrand Municipality

Nedbank Account Number 1190136678

Type of account: Current Account

Branch Code: 198765

- This account is for the payment of fees such as licence renewal, building plans, new water and electricity connections, boat launching, town planning, etc. Clients are requested to obtain a reference number from the Municipality before depositing money in these instances.